

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF :
DARIAN K. WAGNER, L.P.N. : FINAL DECISION AND ORDER
: FOR REMEDIAL EDUCATION
: ORDER 000251♦

Division of Legal Services and Compliance¹ Case No. 12 NUR 538

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Darian K. Wagner, L.P.N.
W6869 School Road
Greenville, Wisconsin 54942

Wisconsin Board of Nursing
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Board of Nursing (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Licensee Darian K. Wagner, L.P.N., (dob June 10, 1989) is licensed in the State of Wisconsin as a practical nurse, having license number 315849-31, first issued on June 13, 2012. This license expired on April 30, 2013, and has not been renewed. Pursuant to Wis. Stat. § 440.08(3), Licensee retains the right to renew upon payment of a fee until April 29, 2018. Licensee's most recent address on file with the Wisconsin

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

Department of Safety and Professional Services (Department) is W6869 School Road, Greenville, Wisconsin 54942.

2. At all times relevant to this proceeding, Licensee worked at a transitional care and rehabilitation facility located in Neenah, Wisconsin.

3. On October 25, 2012, during morning distribution of medication, Licensee pre-poured medications.

4. Licensee's employer educated Licensee that this was not acceptable practice.

5. On October 25, 2012, Licensee signed for a nebulizer treatment when the patient did not have the machine in his or her room.

6. In resolution of this matter, Licensee consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. Within 6 months of the date of this Order, Darian K. Wagner, L.P.N., shall, at her own expense take and successfully complete four (4) hours of education in medication administration as follows:

- a. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the courses from the Board or its designee. Licensee must take and pass any exam offered for the course(s).
- b. Licensee shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any education requirements that have been or may be instituted by the Board or Department.

3. Within 120 days from the date of this Order, Licensee shall pay COSTS of this matter in the amount of \$300.00.

4. Request of approval of courses, proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Licensee to the Department Monitor at the address below:

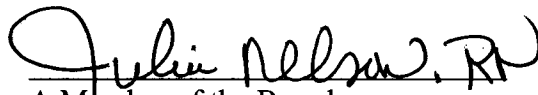
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Licensee's license. The Board in its discretion may in the alternative impose additional conditions and limitations for a violation of any of the terms of this Order. In the event Licensee fails to timely submit payment of the costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Licensee's license (no. 315849-31) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Licensee has paid costs and submitted proof of completion of the required education.

6. This Order is effective on the date of its signing.

WISCONSIN BOARD OF NURSING

by:


A Member of the Board

Date

